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EXPEDITED PROCEDURE  
EXAMINING GROUP 2874  
PATENT 4450-0142P

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
David C. Mitchell et al. ) Conf.: 2535  
Serial No.: 09/844,827 ) Group Art Unit: 2874  
Filed: April 27, 2001 ) Examiner: Sung H. Pak  
For: METHOD FOR TENSIONING AND )  
POSITIONING A FIBER OPTIC CABLE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

REQUEST FOR RECONSIDERATION AFTER FINAL

Applicants respectfully request reconsideration of the final Office Action dated March 10, 2003, the period for response to which has been extended through September 10, 2003, by a Request for Extension of Time filed contemporaneously herewith.

In the final Office Action, the Examiner rejected claims 1-7 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,046,298 to Schroeder, Jr. (hereinafter "Schroeder"); rejected claims 8-14 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,216,739 to Hill et al. in view of Schroeder; and rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,272,886 to Novack et al. in view of Schroeder.

Claims 1-15 are pending in the above-captioned patent

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application.

Applicants respectfully traverse the Examiner's rejection of claims 1-7 under 35 U.S.C. § 102(b) as being anticipated by Schroeder. Claim 1, for example, is not anticipated by Schroeder because the reference fails to teach each and every step recited in the claim. In particular, Schroeder at least fails to teach the claimed method including a step of "creating a gravity-assisted moment arm ... to uniformly and repeatably tension and position the fiber optic cable between first and second supports," as recited in claim 1.

In Applicants previous Amendment dated December 20, 2002, Applicants pointed out to the Examiner that Schroeder is deficient in that it fails to teach the claimed step of creating a gravity-assisted moment arm. Applicants respectfully direct the Examiner to those remarks. In response to Applicants' Amendment, the Examiner contends in the final Office Action that "[t]he weight of the elements (31, 29, 32) [shown in Fig. 2] would inherently pull the wheel clamp and the stripping wheel in a clockwise direction as shown in Fig. 4... During the operation of the device, the fiber would be in tension prior to turning of the knob that actually strips the fiber coating." Applicants respectfully disagree.

Schroeder is entirely silent as to the dimensions, weight, frictional forces etc. associated with stripping wheel 24 and

elements 31, 29 and 32. Without such teachings, one of ordinary skill cannot determine whether gravitation pull on elements 29, 31 and 32 creates tension on fiber 10 or not. For example, if stripping wheel does not move freely, and if elements 29, 31 and 32 are relatively light weight, gravitational pull on these elements will not create sufficient torque to turn wheel 24 and no tension will be generated. Fundamentally, Schroeder's sparse disclosure fails to reveal exactly what is inherent and what is not. Accordingly, Applicants respectfully submit that the Examiner's conclusions that the weight of elements 31, 29 and 32 is sufficient to rotate wheel 24 and create tension on fiber (ribbon) 10 is misplaced.

Moreover, what little Schroeder does disclose about the operation of fiber ribbon stripper actually contradicts the conclusions set forth in the final Office Action. Schroeder describes operating the stripping wheel 24 by first clamping ribbon 10 with wheel clamp 29 on wheel 24, and *releasably* clamping the ribbon external clamp 52 (Emphasis added. Col. 5, lines 19-21). Prior to turning wheel 24, ribbon 10 (including fibers 11-11) is clamped firmly only in one location by wheel clamp 29. Since external clamp 52 does not firmly engage ribbon 10, ribbon 10 is not firmly clamped in two locations, and therefore, is not placed in tension. Once clamped by wheel clamp 29, even if elements 31, 29 and 32 could cause wheel 24 to rotate

by their own weight, ribbon 10 would move with wheel 24 because external clamp 52 would not be engaged. Such rotation of wheel 24 would not create any tension on ribbon 10.

The Examiner contends that "prior to the turning of the knob" the elements 31, 29 and 32 would cause wheel 24 to rotate and create tension in ribbon 10. As noted above, prior to turning the knob, ribbon 10 is clamped only at one location. Thus, as further discussed above, even if elements 31, 29 and 32 could cause wheel 24 to turn on its own, no tension would be created in ribbon 10 because external clamp 52 has not yet firmly clamped ribbon 10. Instead, ribbon 10 would freely turn with wheel 24.

In order to create tension in ribbon 10, however, Schrhoeder expressly teaches firmly clamping ribbon 10 with external clamp 52, and further rotating wheel 24 "to put the optical fibers 11-11 [i.e., ribbon 10] in tension (Emphasis added, col. 5, lines 30-32). Further rotation of wheel 24, according to Schrhoeder takes place only when external clamp 52 is engaged. Only through such rotation is tension created in ribbon 10, not through any gravity-assisted mechanism. Schrhoeder therefore teaches away from the claimed gravity assisted moment arm, as recited in claim 1.

In light of the above described deficiencies of Schrhoeder, Applicants submit that claim 1 is allowable over the applied

reference, and claims 2-7 are allowable at least due to their dependence from claim 1.

Applicants respectfully traverse the Examiner's rejection of claims 8-14 under 35 U.S.C. § 103(a) as being unpatentable over Hill et al. in view of Schroeder, as well as the rejection of claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Novack et al. In formulating these rejections, the Examiner relies on Hill et al. allegedly for disclosing "a method for forming a refractive-index grating" (see final Office Action at page 4), and Novack et al. allegedly for teaching "a method of calibrating a fiber optic cable" (see Office Action dated September 23, 2002 at page 4). Applicants respectfully submit, however, that even if such teachings were combinable with Schroeder in the manner proposed by the Examiner, Hill et al. and Novack et al. would still fail to overcome the above-described shortcomings of Schroeder. Accordingly, claim 8 is allowable over the combination Hill et al. and Schroeder and claims 9-14 are allowable at least due to their dependence from claim 8. Further claim 15 is allowable over the combination of Novack et al. and Schroeder.

This Request for Reconsideration does not raise new issues requiring further search by the Examiner. Accordingly, Applicants respectfully request entry of this Request for Reconsideration, reexamination and reconsideration of the above-

identified application, and a timely allowance of the pending claims.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact David L. Soltz (Reg. No. 34,731) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a three (3) month extension of time for filing a reply in connection with the present application, and the required fee of \$930.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

By

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David L. Soltz, 34,731

Dated: 9/3/05